



HISTORIC LANDMARKS COMMISSION

SYNOPSIS

October 7, 2015

Regular Session

6:30 p.m.

San Jose City Hall, Wing Room 120

200 East Santa Clara Street

San José, CA 95113

Commission Members

Edward Saum, Chair

Joshua Marcotte, Vice Chair

Max Schultz

Rachel Grothe

Patricia Jones

Anthony Raynsford

Harry Freitas, Director

Department of Planning, Building & Code Enforcement

Note

To request an accommodation for City-sponsored meetings or events or an alternative format for printed materials, please call Carina Shattuck at 408-535-5695 or 408-294-9337 (TTY) as soon as possible, but at least three business days before any meeting or event. If you requested such an accommodation, please identify yourself to the technician seated at the staff table. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

If you want to address the Commission, **fill out a speaker card (located at the technician's station), and give the completed card to the technician. Please include the agenda item number for reference.**

The procedure for public hearings is as follows:

- After the staff report, *applicants may make a five-minute presentation.*
- Anyone wishing to speak in favor of the proposal should prepare to come forward. After the proponents speak, anyone wishing to speak in opposition should prepare to come forward. *Each speaker will have two minutes.*
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The Commission will then close the public hearing.
- *The Historic Landmarks Commission will take action on the item.*

The procedure for referrals is as follows:

- Anyone wishing to speak on a referral should prepare to come forward. *Each speaker will have two minutes.*
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- *The Historic Landmarks Commission will comment on the referral item.*

If a Commissioner would like a topic to be addressed under one of the Good and Welfare items, please contact Planning staff in advance of the Commission meeting.

An agenda and a copy of all staff reports have been placed on the table for your convenience. All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Planning, Building and Code Enforcement at San José City Hall, 200 E. Santa Clara Street, 3rd Floor Tower, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.

AGENDA

ORDER OF BUSINESS

ROLL CALL

Commissioners Jones and Schultz absent

1. DEFERRALS

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

No Items

2. CONSENT CALENDAR

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Historic Landmarks Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please make your request at this time

No Items

3. PUBLIC HEARINGS

- a. **HA14-023-01.** Referral of a Site Development Permit Amendment to allow a 21-story high rise building with 202 residential units and approximately 10,900 square feet of commercial uses, and a five-story parking garage connected to the adjacent existing parking garage in the DC Downtown Primary Commercial Zoning District on a 0.47 gross acre site, located at the northwest corner of San Pedro Street and Post Street (Post Street Tower LLC, Owner). Council District 3. CEQA: Addendum to the San Jose Downtown Strategy 2000 Environmental Impact Report (Resolution No. 72767).
PROJECT MANAGER, ROSCOE MATA

The Commission voted 4-0-2 (Jones and Schultz absent) to recommend that the Director of Planning approve the Site Development Permit Amendment with a recommendation that the design be modified to create a more solid form at the base of the building and to provide additional depth and detail at the three story wall adjacent to the Berger Building.

4. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

No Items

5. OPEN FORUM

- a. Members of the public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Commission. The Commission cannot engage in any substantive discussion or take any formal action in response to the public comment. The Commission can only ask questions or respond to statements to the extent necessary to determine whether to (1) refer the matter to staff for follow-up; (2) request staff to report back on a matter at a subsequent meeting; or (3) direct staff to place the item on a future agenda. Each member of the public may fill out a speaker's card and has up to two minutes to address the Commission.

Mr. Brian Grayson expressed concern about the siding materials and windows being installed at the Ken Ying Low Restaurant building at 625 N. 6th Street. The Commission requested that Staff provide an update at the next Historic Landmarks Commission meeting.

6. GOOD AND WELFARE

- a. Report from Secretary, Planning Commission, and City Council

1. Update on Past Agenda Items

Staff provided an update that the Historic Preservation Permit File No. HP14-002 was scheduled to be heard before the Director of Planning on October 14th with proposed conditions to address the Commission's recommendations regarding the building design.

2. Future Agenda Items

Staff informed the Commission that review of revised designs of the commemorative displays for the Donner-Houghton House and review of an update to the City's Guidelines for Preparation of a Historic Report are expected to be heard by the Commission at the next meeting.

Chair Saum noted that he will be attending a workshop in Sacramento provided by the State Historic Preservation Office and requested to provide a recap of the workshop to the Commission at the next meeting.

3. Summary of communications received by the Historic Landmarks Commission

No communications were received by the Historic Landmarks Commission.

- b. Report from Committees

1. Design Review Subcommittee (Jones, Saum, and Schultz)
Meets the 3rd Wednesday of the month as necessary

The Design Review Subcommittee did not meet in September.

- c. Approval of Synopsis

1. **Recommendation:** Approval of Synopsis for [September 2, 2015](#).

The Commission voted 4-0-2 (Jones and Schultz absent) to approve the Synopsis with a modification to add Commissioners Grothe and Raynsford and remove Commissioners Torres, Messina and Gomez from the list of Commissioners on the first page.

- d. Status of Circulating Environmental Documents: Negative Declarations
<http://www.sanjoseca.gov/index.aspx?NID=2165> and Draft Environmental Impact Reports
<http://www.sanjoseca.gov/index.aspx?NID=2434>

Staff informed the Commission that an Addendum to the Graylands Business Park Final EIR is circulating for a Planning Development Zoning and Planned Development Permit for construction of a new building adjacent to the Graylands Mansion, which has been determined to be a historic resource pursuant to CEQA, and that an Initial Study and Draft Mitigated Negative Declaration is circulating for a General Plan Amendment, Planned Development Zoning and Planned Development Permit for a project at the northwest corner of N. 10th Street and E. Taylor Streets that involves construction adjacent to and modification of the Continental Can Company buildings, which have been determined to be historic resources pursuant to CEQA.

ADJOURNMENT

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D)

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.